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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 TRICIA LECKLER, on behalf of herself and all  
9 others similarly situated,

No. C 07-04002 SI

**ORDER CONTINUING MOTION**

10 Plaintiffs,

v.


11 CASHCALL, INC.,

12 Defendant.  
13 \_\_\_\_\_/

14 Defendant Cashcall has two motions pending before the Court. The first is a motion to certify  
15 the Court's prior order for interlocutory appeal and stay the proceedings pending appeal. That motion  
16 is scheduled for oral argument on August 22, 2008. The second is a motion to dismiss the case for lack  
17 of jurisdiction, scheduled for October 31, 2008. The Court finds that it should not rule on defendant's  
18 first motion without first deciding whether it has jurisdiction over this case. **Accordingly, the motion**  
19 **requesting the opportunity to bring an interlocutory appeal is continued until 9:00 a.m. on**  
20 **October 31, 2008.** The Court also requests that the parties stipulate to a new hearing date and schedule  
21 for the motion for class certification, which should be heard following the motion to dismiss.  
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23 **IT IS SO ORDERED.**

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25 Dated: August 13, 2008

  
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SUSAN ILLSTON  
United States District Judge